



2681  
Attorney Docket. No.: UTL 00011 30

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Inventor(s): **DAVIS, Brad**

Application No.: **09/938,907**

Filed: **August 24, 2001**

) Title: **METHOD AND APPARATUS**  
) **FOR ASSIGNING DATA RATE**  
) **IN A MULTICHANNEL**  
) **COMMUNICATION SYSTEM**

) Group Art Unit: **2681**

) Examiner: **to be assigned**

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AND CHANGE OF ATTORNEY DOCKET NUMBER**

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Attention: Examiner

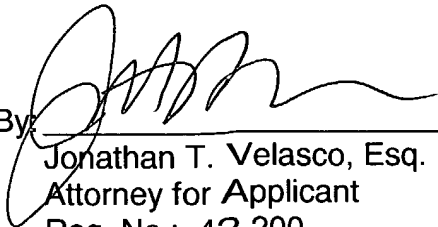
Dear Sir:

These papers, including a Change of Correspondence Address and a Power of Attorney with a Statement under 37 CFR 3.73(b), are submitted for the purpose of associating the above-referenced patent application with Customer Number: 32968 and Attorney Docket Number: UTL 00011.

Respectfully submitted,

Dated: October 20, 2004

By

  
Jonathan T. Velasco, Esq.  
Attorney for Applicant  
Reg. No.: 42,200

Jonathan T. Velasco, Esq.  
KYOCERA WIRELESS CORP.  
P.O. Box 928289  
San Diego, CA 92192-8289  
Direct Dial: (858) 882-3501  
Direct Fax: (858) 882-2485



<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	09/938,907	
	Filing Date	August 24, 2001	
	First Named Inventor	DAVIS, Brad	
	Art Unit	2681	
	Examiner Name	to be assigned	
Total Number of Pages in This Submission	5	Attorney Docket Number	UTL 00011

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<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input checked="" type="checkbox"/> Power of Attorney and Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	Transmittal Cover Letter; Statement Under 37 C.F.R. 3.73(b); Return Receipt
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<input type="checkbox"/> Response to Missing Parts/Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Jonathan T. Velasco Reg. No. 42,200 KYOCERA WIRELESS CORP.
Signature	
Date	October 20, 2004

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage to the USPTO via First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, Attention: Examiner, on the date shown below.	
Typed or printed name	Shelley M. Callagy
Signature	
Date	October 20, 2004

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**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: KYOCERA WIRELESS CORP.

Application No./Patent No.: 09/938,907 Filed/Issue Date: August 24, 2001

Entitled: METHOD AND APPARATUS FOR ASSIGNING DATA RATE IN A MULTICHANNEL COMMUNICATION SYSTEM

KYOCERA WIRELESS CORP., a CORPORATION  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by percentage) of its ownership interest is \_\_\_\_\_ %  
in the patent application/patent identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 012885, Frame 0305, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

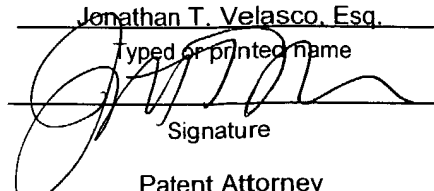
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☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.  
[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

October 20, 2004  
Date  
(858) 882-3501  
Telephone number

Jonathan T. Velasco, Esq.  
Typed or printed name  
  
Signature  
Patent Attorney  
Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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